

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEVEN WAYNE BENDER,) Civil Action No. 05 - 998
Petitioner,) Senior District Judge Donetta W. Ambrose
v.) Chief Magistrate Judge Lisa Pupo Lenihan
JAMES WYNDER, *et al.*,)
Respondents.)

MEMORANDUM OPINION AND ORDER

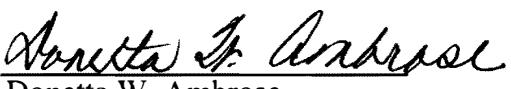
This case is before the Court on Petitioner's Motion for Relief from Judgment pursuant to Federal Rule of Civil Procedure 60(b) (ECF No. 92). The magistrate judge issued a Report and Recommendation on January 7, 2022, recommending that the Rule 60(b) Motion be denied. (ECF No. 93). The parties were served with the Report and Recommendation and informed that they had until January 24, 2022, to file written objections. Neither party filed any objections. For portions of a Report and Recommendation to which no objection is made, the Court should "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Hoye v. Att'y Gen. of Pa., No. 2:20-cv-1049, 2020 WL 6515916, at *1 n.1 (W.D. Pa. November 5, 2020). Upon review of the record of this matter, and the Report and Recommendation, the following order is entered:

AND NOW this 25th day of January, 2022, IT IS HEREBY ORDERED that Petitioner's Motion for Relief from Judgment pursuant to Federal Rule of Civil Procedure 60(b)¹ (ECF No. 92) is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation dated January, 7, 2022 (ECF No. 93), is **ADOPTED** as the Opinion of this Court.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.


Donetta W. Ambrose
Donetta W. Ambrose
Senior U.S. District Judge

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